

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ALI SALAAM EL,

Case No. 09-12136

Plaintiff,

David M. Lawson

vs.

United States District Judge

CITY OF DEARBORN, DEARBORN  
POLICE, 19th DISTRICT COURT,  
ALFRED GRZEGOREK, WILLIAM C.  
HULTGREN, SCOTT NAGY,  
WILLIAM M. DEBIASI, *et al.*,

Michael Hluchaniuk  
United States Magistrate Judge

Defendants.

---

**REPORT AND RECOMMENDATION  
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Dkt. 20)**

Plaintiff filed this civil rights action on June 3, 2009. (Dkt. 1). This matter was referred to the undersigned for all pretrial purposes by District Judge David M. Lawson. (Dkt. 2). Plaintiff filed a motion for summary judgment on October 13, 2009. (Dkt. 20). In that motion, he claims that defendants failed to respond “point for point” to “Affidavit of Facts” or enter any evidence into the record.

Accordingly, plaintiff requests summary judgment in his favor for a sum certain of \$15,000,000 against each of the defendants. *Id.* On January 27, 2010, the undersigned issued a report recommending that defendants’ motions to dismiss be **GRANTED** and that plaintiff’s complaint be **DISMISSED**. (Dkt. 26).

Accordingly, the undersigned **RECOMMENDS** that plaintiff's motion for summary judgment be **DENIED** as **MOOT**.

The parties to this action may object to and seek review of this Report and Recommendation, but are required to file any objections within 14 days of service, as provided for in Federal Rule of Civil Procedure 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1981). Filing objections that raise some issues but fail to raise others with specificity will not preserve all the objections a party might have to this Report and Recommendation. *Willis v. Sec'y of Health and Human Servs.*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Pursuant to Local Rule 72.1(d)(2), any objections must be served on this Magistrate Judge.

Any objections must be labeled as "Objection No. 1," "Objection No. 2," etc. Any objection must recite precisely the provision of this Report and Recommendation to which it pertains. Not later than 14 days after service of an objection, the opposing party may file a concise response proportionate to the objections in length and complexity. Fed.R.Civ.P. 72(b)(2), Administrative Order 09-AO-042. The response must specifically address each issue raised in the objections, in the same order, and labeled as "Response to Objection No. 1,"

“Response to Objection No. 2,” etc. If the Court determines that any objections are without merit, it may rule without awaiting the response.

Date: January 28, 2010

s/Michael Hluchaniuk  
Michael Hluchaniuk  
United States Magistrate Judge

### **CERTIFICATE OF SERVICE**

I certify that on January 28, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Laurie M. Ellerbrake and John G. Fedynsky, and I certify that I have mailed by United States Postal Service the paper to the following non-ECF participant: Ali Salaam El, P.O. Box 35562, Detroit, MI 48235.

s/Tammy Hallwood  
Case Manager  
U.S. District Court  
600 Church Street  
Flint, MI 48502  
(810) 341-7887  
tammy\_hallwood@mied.uscourts.gov